

DARSHAN
PRAKASH
PATIL

Darshan Patil

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Date: 2024.11.27
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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 16340 OF 2024

Aurum Realestate Developers
Limited

...Petitioner

Versus

Dy. Commissioner of State
Tax (E-009) and Anr.

...Respondents

Ms Ritika Agarwal, a/w Mr Anuj Deshmukh i/b Ace Legal, for
the Petitioner.

Ms S D Vyas, Addl. GP a/w Ms Dhruti Kapadia, AGP, for the
Respondent-State.

CORAM: M.S. Sonak &
Jitendra Jain, JJ.

DATED: 25 November 2024

PC:-

1. After the matter was argued for some time, learned counsel for the petitioner, on instructions from the petitioner seeks leave to withdraw this petition with liberty to institute an appeal against the order dated 20 August 2024. Ms Agarwal learned counsel for the petitioner, on instructions, stated that the appeal would be instituted within 2 weeks from today after complying with all the necessary legal requirements.

2. If the appeal is indeed instituted within 2 weeks, the appellate authority must decide the appeal on merits without advertng to the issue of limitation. This is because the

petitioner had instituted this petition within the prescribed limitation period for filing appeals possibly on legal advice.

3. This petition is disposed of as withdrawn with the above liberty.

4. All contentions of all parties on merits are left open to be decided by the appellate authority in the first instance. The appeal should be disposed of expeditiously.

5. All concerned to act on the authenticated copy of this order.

(Jitendra Jain, J)

(M.S. Sonak, J)